

and the Pall Selection Guide FLUORODYNE Filters (P Grade). It is respectfully contended that independent claim 1, as well as the claims which depend from independent claim 1, are patentable over these references.

Independent claim 1 defines a filter assembly including a plastic housing and a filter element held in the housing. The material of the housing is one which can be sterilized by subjecting the interior of the housing to steam under pressure while the exterior of the housing is at atmospheric pressure. The filter element includes a filter medium embedded in first and second end caps at first and second joints, respectively, wherein the first and second end caps form respective water-wetable joints with the filter medium. The filter assembly defined by independent claim 1 can thus be integrity tested, for example, by a water bubble point test or a diffusive forward float test, and in situ steam sterilized by passing high pressure and high temperature steam through the filter assembly. None of the references cited in the Office Action, either alone or in combination, discloses or suggests the filter assembly defined by independent claim 1.

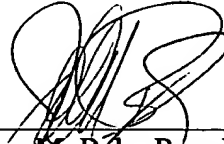
According to the Pall '483 patent, the lip 16 of the end cap 10 is sandwiched between the side peripheral surface 2a of the cover 2 and the side peripheral surface 1a of the bowl 1, thus making it possible to bond and seal all three parts together at one time and form a unitary or one piece disposable filter assembly (column 5, lines 1-5). To best form this bond, it is best to form the housing, end caps and filter of the same plastic material (column 7, lines 21-23). This central element of the Pall '483 patent teaches directly away from the combination suggested in the Office Action. In particular, the use of a FLUORODYNE membrane with polypropylene end caps as suggested in the Filter Reference Guide would require a polypropylene housing in accordance with the central teaching of the Pall '483 patent. Such a housing could not be steam sterilized in situ because a polypropylene housing is not one that allows sterilizing by subjecting the interior of the housing to steam under pressure while the exterior of the housing is at atmospheric pressure without damaging the housing, as set forth in independent claim 1. The reverse is also true. If the Pall '483 patent utilized a housing that could be steamed sterilized in situ and a similar plastic for the end cap, the end caps could not be bonded to a FLUORODYNE membrane because of the significant difference in melting points. Because the Pall '483 patent teaches away from the combination suggested in the Office Action, it is respectfully contended that independent claim 1, as well as all of the independent claims, are patentable over the references cited against them.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a

telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



John M. Belz, Reg. No. 30,359
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: 10 Feb 2003